

**IN THE DRAWINGS**

The Drawings are amended as follows:

On Drawing Sheet 3, Figure 3 is amended to change the identifier of item 74 to “ANALOG  
AUDIO SIGNAL GENERATOR.”

Attachment: Replacement Drawing Sheet 3 including FIG. 3.

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-11 are pending. Claims 1, 9, 10 and 11 are independent. Claims 1, 3, 5, 7, 9, 10 and 11 are hereby amended. No new matter has been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. OBJECTIONS TO THE SPECIFICATION**

A substitute specification as described herein above is submitted herewith to overcome the objections stated in the Office Action. In particular, the specification has been amended to replace the terms “ingest,” “ingests,” and “ingesting” with the terms “acquire,” “acquires,” and “acquiring.” According to Webster's 3<sup>rd</sup> International dictionary “ingest” may be defined as “to take in,” which is consistent with the usage in the specification.

Applicants submit herewith a Substitute Specification in accordance with 37 C.F.R. 1.121(b)(3) as discussed above.

### **III. TELEPHONE INTERVIEW**

Applicants thank the Examiner for granting the telephone interview on July 19, 2007.

Applicants and the Examiner discussed objections to the drawings on page 2, paragraph 1 of the Office Action. Applicants noted in the drawings there are multiple instances of a single device and thus, the individual devices were given different reference characters. Further, the Office Action stated in paragraph 4, recording medium 12 in Figure 1 is not mentioned in the specification. Applicants' noted recording medium 12 is mentioned in Published Application paragraph 253.

### **IV. OBJECTIONS TO THE DRAWINGS**

Figure 3 on drawing sheet 3 has been amended herein as described above to clarify the meaning of the drawing as objected to in Office Action paragraph 2.

The Examiner objected to the drawings based on the use of reference number 12, which examiner states was not mentioned in the specification. Applicants respectfully disagree. Reference number 12 is cited in paragraph 253 of the published specification.

Other drawing objections are overcome by amendments to the specification made herein. Applicants respectfully request withdrawal of the objection to the drawings.

### **V. CLAIM OBJECTIONS**

Claim 11 has been amended thereby obviating the objection.

## VI. REJECTIONS UNDER 35 U.S.C. §112

Claims 9 and 10 were rejected under 35 U.S.C. 112, first paragraph. Applicants have amended the claims for clarification.

Claims 1-8 and 11 were rejected under 35 U.S.C. 112, second paragraph as allegedly being indefinite. Applicants have amended claims 1 and 11 for clarification.

Claims 3, 5 and 6 were rejected under 35 U.S.C. 112, second paragraph as allegedly lacking antecedent basis. Applicants have amended the claims for clarification. Applicants note that the term “the header information” can be found in claim 1 thus providing the proper antecedent basis.

Applicants respectfully request withdrawal of the §112 rejection of claims 1, 3, 5, 6 and 8-11.

## VII. REJECTIONS UNDER 35 U.S.C. §102(b)

Claims 1-7, and 9-11 were rejected under 35 U.S.C. §102(b) as allegedly unpatentable over WO 97/10673 issued to Fukai, et al. (hereinafter, merely “Fukai”). Applicants respectfully traverse this rejection.

Claim 1 is representative and recites, *inter alia*: “wherein the electronic mark data comprises electronic mark text data that includes text data showing a user input.” (Emphasis added).

As understood by the Applicants, Fukai discloses use of marking signals including start/stop time codes and OK/NG flags, to identify scenes. See Fukai Publ. App. par. [38], [49]. There is no disclosure in Fukai of marking signals including text data.

In contrast, claim 1 recites, “wherein the electronic mark data comprises electronic mark text data that includes text data showing a user input.” That is, the electronic mark data includes electronic mark text data showing a user input. Thus, the electronic mark data includes electronic mark text data in which a feature of the video content data is described. See Publ. App. par. [20]. The electronic mark text data, as disclosed in the specification, describes a feature, location of imaging or date of imaging of each video scene such as a Scene ID, a highlight of the scene, and user-generated text data. For example, a user may use an input device to generate text data for a specific event such as a home run. See Publ. App. par. [22], [113], [164], [167], [169].

Fukai does not disclose an electronic text data mark using user-generated text data. Applicants submit that because the reference does not disclose the above-identified features of claim 1, independent claim 1 is patentable.

For reasons similar or somewhat similar to those described above with regard to independent claim 1, independent claims 9, 10 and 11 are also believed to be patentable.

## **VIII. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claim 8 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Fukai.

Claim 8 depends from Independent Claim 1 and is believed patentable for at least the same reasons described above with respect to claim 1.

## IX. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

## CONCLUSION


In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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